



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

West Central Regional Office
3019 Peters Creek Road, Roanoke, Virginia 24019
Telephone (540) 562-6700, Fax (540) 562-6725
www.deq.state.va.us

Robert G. Burnley
Director
Steven A. Dietrich
Regional Director

**STATE WATER CONTROL BOARD ENFORCEMENT ACTION
AMENDMENT TO
SPECIAL ORDER BY CONSENT
ISSUED TO
GINGER U. WEBB
FOR
DOYLE MOBILE HOME PARK**

SECTION A: Purpose

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to Ginger U. Webb, for the purpose of revising certain provisions of the Consent Special Order that was issued by the State Water Control Board to Ginger U. Webb on October 5, 2001.

SECTION B: Basis for Amendment

1. Doyle MHP is a mobile home park in Henry County, Virginia. Doyle MHP is owned and operated by Ms. Ginger U. Webb ("Ms. Webb"). Approximately forty homes at the site are served by a sewage lagoon ("the Lagoon"). Although the Lagoon has never received a permit to operate as a sewage treatment facility from the Board, it had been permitted by the Health Department under the LHS-120 designation.
2. On October 5, 2001, the Board issued a Consent Special Order ("2001 Order") to Ms. Webb. The Schedule of Compliance in Appendix A of the 2001 Order requires Ms. Webb to bring Doyle MHP into compliance with State Water Control Law by connecting to public sewer, installing an in-ground treatment system, or obtaining a Permit from the Board for the Lagoon by March 1, 2004. The 2001 Order also requires Ms. Webb to notify the Department of which of the above methods she will use to bring DoYLES MHP into compliance by October 31, 2002.

3. On October 30 and 31, 2002, the Department received letters from Ms. Doyle and Mr. Benny Summerlin, Henry County Administrator and PSA General Manager, requesting that Ms. Webb be given six additional months to choose a method for bringing Doyles MHP into compliance. Mr. Summerlin indicated that Henry County is in the process of seeking grants or loans that could be used to extend public sewer to Doyles MHP. Ms. Webb's letter stated that she has hired a consulting firm to explore feasibility of a septic system for Doyles MHP.
4. Because Ms. Webb's choice between proceeding with construction of a septic system and waiting for the availability of public sewer depends upon the outcome of the County's planning process for extension of public sewer, it is appropriate to allow Ms. Webb six additional months before she must choose a compliance option. However, it is not appropriate to allow indefinite delay in coming into compliance with State Water Control Law. Accordingly, if after six additional months the date that a decision will be made on whether public sewer will be extended to Doyles MHP is still uncertain, it will be necessary for Ms. Webb to make her choice of a compliance option using the information she has at that time. Therefore, the State Water Control Board and Ms. Webb agree that it is appropriate to amend the 2001 Order as described below.

SECTION C: Agreement and Order

Accordingly, the State Water Control Board, by virtue of the authority granted it in Code §62.1-44.15(8a), orders Ms. Webb and Ms. Webb agrees to perform the actions described in Appendix A of this Amendment, which supercedes Paragraph 2 of Appendix A of the 2001 Order. Both the State Water Control Board and Ms. Webb understand and agree that this Amendment does not alter, modify, or amend any other provision of the 2001 Order and that unmodified provisions of the 2001 Order remain in effect by their own terms.

And it is so ORDERED this day of MARCH 31, 2003.


Robert G. Burnley, Director
Department of Environmental Quality

Ms. Ginger U. Webb voluntarily agrees to the issuance of this Amendment.

By: 

Amendment to Special Order by Consent
Ms. Ginger U. Webb - Doyles Mobile Home Park
Page 3 of 4

Date: January 8, 2003

Commonwealth of Virginia

City/County of Roanoke

The foregoing instrument was acknowledged before me this 8 day of January, 2002, 3
by Ms. Ginger U. Webb.

Mary S. Monroe
Notary Public

My commission expires: June 30, 2003

APPENDIX A

1. Not later than May 1, 2003, Ms. Webb shall submit to the Regional Office an approvable plan for coming into compliance with the State Water Control Law and the Regulation. Such plan shall specify either one of the options listed in Paragraph 1 of Appendix A of the 2001 Order or another approvable method for coming into compliance.